

ELC 15.5
DECLARATION OR QUESTIONNAIRE

(a) Questionnaire. The Association annually sends each active lawyer a written declaration or questionnaire designed to determine whether the lawyer is complying with RPC 1.15A. Each active lawyer must complete, execute, and deliver to the Association this declaration or questionnaire by the date specified in the declaration or questionnaire.

(b) Noncompliance. Failure to file the declaration or questionnaire by the date specified in section (a) is grounds for discipline. This failure also subjects the lawyer who has failed to comply with this rule to a full audit of his or her books and records as provided in rule 15.1(c), upon request of disciplinary counsel to a review committee. A copy of any request made under this section must be served on the lawyer. The request must be granted on a showing that the lawyer has failed to comply with section (a) of this rule. If the lawyer should later comply, disciplinary counsel has discretion to determine whether an audit should be conducted, and if so the scope of that audit. A lawyer audited under this section is liable for all actual costs of conducting such audit, and also a charge of \$100 per day spent by the auditor in conducting the audit and preparing an audit report. Costs and charges are assessed in the same manner as costs under rule 5.3(f).

[Adopted effective October 1, 2002; September 1, 2006.]
